

UAO Record for San Jacinto River Waste Pits Superfund Site

- I. Champion Papers Inc. executed contract with Ole Peterson Construction Company dated 4./29/65 covering the removal of pulp and paper mill waste sludge from the plant site of Champion Papers, Inc. in Pasadena, Texas (which was subsequently assigned to MIMC on 9/10/65)**
- a. MIMC Minutes (9/3/65): formation of MIMC and references assignment of Champion contract from Ole Peterson to MIMC (SDMS 858168)
 - b. Assignment of Contract from Ole Peterson to MIMC (9/10/65): Removal of pulp and paper mill waste sludge from the Champion Papers Inc. plant site in Pasadena, Texas. (SDMS 858168)
 - c. Harris County Health Department Letter to MIMC with cc to Champion (12/28/65): references a 6/4/65 from the HCHD to Burma Engineering use of the Site property for wastes removed from the Champion Paper Company to be stored as long as no water was discharged into waterway. Letter references that on 12/27/65 a pump was observed pumping liquid waste out of one of the basins at the Site property directly into the San Jacinto River. Liquid contained considerable amounts of “black liquor,” highly toxic to marine life. Letter requested cessation of discharge of the waste liquor from the ponds on Site property and that the dikes which are being used to contain the wastes should be repaired. (SDMS 858168)
 - d. Private Champion Memorandum (12/30/65): discusses 12/28/65 letter from HCHD. States that 2 sections of the levee around the disposal area currently being used are in need of reinforcing and the water seepage along the east side of the levee at the original disposal site should be corrected. (SDMS 858168)
 - e. Texas Department of Health Memo Investigation of Champion Paper Waste Disposal (5/6/66): Investigated the practice of disposal of settled solids from the Champion Paper processes carried out by MIMC. Settled material is removed from the secondary ponds at Champion plant, transported by barge, unloaded into ponds which have been forged by levees at the Site property. First operation began in June 1965 with MIMC taking over on 9/13/65. Levees on the first pond were in good shape with slight seepage, while the second pond needs additional work on the levees. Two ponds are connected with a drain line to allow the flow of excess water from the ponds to collect near the barge unloading area. At the present time, this water is pumped back into the barges and returned to Champion paper where it is passed through the last settling ponds and discharged to the Channel with the rest of the plant effluent. Noted that storm events might cover the disposal area with water and wash out the levees. Champion and MIMC wanted to apply for permit to discharge from Site property into waterway. (SDMS 858168)
 - f. Contract between Champion and MIMC (7/1/66): covers the removal of pulp and paper mill waste sludge material from Champion’s waste basins from its Pasadena plant to land owned by MIMC. (SDMS 858168)

- g. Proposed MIMC Sludge Disposal Facility (7/27/66): Studied existing MIMC disposal facility (Site property) as design data for future sludge disposal facility. Site property: 3 ponds used for storage of sludge from Champion mill. Pond 1: 5 acre lagoon in which no sludge has been deposited since September 1965. Pond 2: 2 acre lagoon that has not been used for sludge deposition since January 1966. Pond 3: 6 acre lagoon where excess from pond 2 is stored (no sludge deposition since May 1966). (SDMS 858168)
- h. Texas Water Pollution Control Board Letter to MIMC(7/29/66): grants permission to release a combination of stabilized waste water and rain water from site ponds. TWPCB states that it is their firm understanding that the ponds will not be used again for the storage of waste material. (SDMS 858168)
- i. MIMC Minutes (8/19/68): discuss barges of corporation are deteriorating and needed to be replaced. Discuss site property which was used during fiscal 1966 and part of fiscal 1967 as a dump for waste materials hauled by the corporation. Discussed that the property was completely filled with waste materials and could no longer serve as a dump site. Corporation regarded property as worthless and removed it as an asset for the corporate books (SDMS 862018).

II. Respondent McGinnes Industrial Maintenance Corporation operated the waste disposal facility at the time of disposal of hazardous substances at which such hazardous substances were disposed of at the Site, and is accordingly a responsible party within the meaning of Section 107(a)(2) of CERCLA, 42 U.S.C. § 9607(a)(2).

- a. 9/3/65 (SDMS 858168) & 8/19/68 MIMC Minutes (SDMS 862018)
- b. 9/10/65 Assignment of Contract from Ole Peterson to MIMC (SDMS 858168)
- c. 12/28/65 Harris County Health Department Letter to MIMC with cc to Champion (12/28/65) (SDMS 858168)
- d. 5/6/66 Texas Department of Health Memo Investigation of Champion Paper Waste Disposal (SDMS 858168)
- e. Corporate History: see attachment 2

III. Respondent McGinnes Industrial Maintenance Corporation accepted hazardous substances for transport to the facility selected by Respondents, within the meaning of Section 107(a)(4) of CERCLA, 42 U.S.C. § 9607(a)(4).

- a. 9/3/65 (SDMS 858168) & 8/19/68 MIMC Minutes
- b. 9/10/65 Assignment of Contract from Ole Peterson to MIMC (SDMS 858168)
- c. 12/28/65 Harris County Health Department Letter to MIMC with cc to Champion (12/28/65) (SDMS 858168)
- d. 5/6/66 Texas Department of Health Memo Investigation of Champion Paper Waste Disposal (SDMS 858168)
- e. Corporate History: see attachment 2

IV. Respondent International Paper Company is the successor to Champion Papers, Inc., who arranged for disposal or treatment of materials containing

hazardous substances, which were owned or possessed by said company, which came to be disposed at the Site and is thus a responsible party within the meaning of Section 107(a)(3) of CERCLA, 42 U.S.C. § 9607(a)(3).

- a. Assignment of Contract from Ole Peterson to MIMC (9/10/65) for removal of pulp and paper mill waste sludge from the Champion Papers Inc. plant site in Pasadena, Texas
- b. Corporate Successor
-See attachment 1 (Timeline of Key Events: International Paper Company, Inc.)
- c. Which came to be Disposed at the Site
-Harris County Health Department Letter to MIMC with cc to Champion (12/28/65), Private Champion Memorandum (12/30/65), Texas Department of Health Memo Investigation of Champion Paper Waste Disposal (5/6/66)

V. Dioxin and Furans was disposed of on the property

-Harris County Health Department Letter to MIMC with cc to Champion (12/28/65), Private Champion Memorandum (12/30/65), Texas Department of Health Memo Investigation of Champion Paper Waste Disposal (5/6/66)

VI. Actual or threatened release of hazardous substances from the facility (i.e. the Site) may present an imminent and substantial endangerment to the public health and welfare or the environment

- a. HRS Package indicating the sample results of dioxin and furan levels on site and next to the site in the San Jacinto River
- b. EPA Integrated Risk Information System (IRIS) file for hexachlorodibenzo-p-dioxin (HxCDD)
- HxCDD is the only dioxin with an IRIS value. A toxic equivalency factors (TEFs) are used to derive the toxicity values for the dioxins.
- c. The World Health Organization (WHO): Project for the re-evaluation of human and mammalian toxic equivalency factors (TEFs) of dioxins and dioxin-like compounds
- WHO: TEFs is the source for TEFs for chlorinated dibenzo-p-dioxins (CDDs), chlorinated dibenzofurans (CDFs) and dioxin-like polychlorinated biphenyls (PCBs)
- d. ATSDR Toxicological Profile for Dioxins and Furans
- e. EPA Basic Dioxin Fact Sheet (SDMS 873707)
- f. ATSDR Chlorinated Dibenzo-p-dioxins (CDDs) FAQs (SDMS 873708)
- g. ATSDR Dioxin Chemical Agent Briefing Sheet (SDMS 73709)
- h. Aerial Photos

VII. Potential Orphan shares

Site property owner is deceased. See Brazoria County Probate records of Virgil C. McGinnes (SDMS 865703, 865702).

VIII. The potential for future spread of the hazardous substance dioxins and furans from the Site into the San Jacinto River poses a threat of a “release” as defined in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22)

-HRS package